

PROB 12B
(7/93)

United States District Court
for

District of New Jersey

Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Alejandro Lopez

Cr.: 05-00678-001
PACTS Number: 42723

Name of Sentencing Judicial Officer: Honorable Faith S. Hochberg

Date of Original Sentence: 03/27/07

Original Offense: Conspiracy to Distribute and Possession with Intent to Distribute more than One Kilogram of Heroin in violation of Title 21 U.S.C. § 846 [21 U.S.C. § 841(a)(1)]

Original Sentence: 49 months imprisonment

Special Conditions: alcohol testing/treatment; drug testing/treatment; financial disclosure; no new debt and DNA testing

Type of Supervision: TSR (60 months)

Date Supervision Commenced: 12/05/08

PETITIONING THE COURT

- ☐ To extend the term of supervision for _____ Years, for a total term of _____ Years.
☒ To modify the conditions of supervision as follows. The addition of the following special condition(s):

- A) The defendant shall contribute 50 hours of community service work over a period of six months or less. Such service shall be without compensation, with the specific work placement to be approved by the U.S. Probation Office.
- B) At sentencing, Your Honor imposed a fine in the amount of \$10,000 to be paid in monthly installments of no less than \$250. We respectfully request that Your Honor consider reducing the offender's court-ordered monthly minimum fine payment to \$40.00 due to his current financial status and reported inability to pay \$250 per month as ordered at sentencing.

CAUSE

On August 13, 2009, the offender submitted a urine test that returned positive results for the presence of cocaine. On August 20, 2009, the offender admitted he used cocaine on or about August 13, 2009. The offender was sanctioned to report to the U.S. Probation Office for the Southern District of Florida on a weekly basis for urine testing. He also received an increase in attendance at outpatient substance abuse treatment.

As of this writing, the offender currently owes an outstanding fine balance of \$9,259. A financial investigation conducted by the supervising U.S. Probation Officer for the Southern District of Florida revealed the offender is not financially stable and unable to satisfy the monthly fine payment of \$250. It is therefore recommended that his monthly fine payment be reduced to \$40.

Lopez is currently employed as a waiter at Sonny's Bar B Que Restaurant and reports earning a monthly gross income of \$964. His reported monthly cash outflow totals \$920 per month. Should the offender receive an increase in salary the U.S. Probation Office will request a modification for an increase in monthly fine payments.

Respectfully submitted,

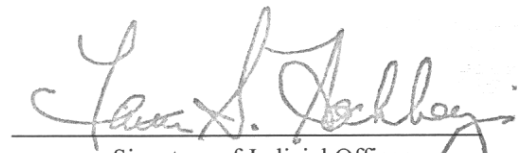

By: Elizabeth Villa

U.S. Probation Officer

Date: 11/23/09

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
☐ The Extension of Supervision as Noted Above
☐ No Action
☐ Other


Signature of Judicial Officer

12/10/09
Date